

7.2 BAY STREET PLANS

Discussion of Street Improvement Plans and Planned District Proposal

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Executive Summary: The purpose of this report is to provide an update on the design concept for street improvements along Bay Street and new zoning regulations for adjacent properties. The project is funded by a Transportation for Livable Communities (TLC) Planning Grant from the Metropolitan Transportation Commission (MTC) and by Redevelopment Agency funds. A steering committee consisting of two Bay Street stakeholders, elected by their peers at a kick-off meeting, and two City staff are overseeing the project. The steering committee has enclosed drafts of the final work products and seeks direction on finalizing the plans. The committee will be returning to the City Council for approval of the plans in July to meet MTC grant deadlines. At this meeting, staff is seeking review and comment from the City Council on the proposed plans to date.

BACKGROUND: The Bay Street project is intended to set the framework for, and thereby encourage new investment along Bay Street. On October 22, 2002, the Redevelopment Agency authorized the Executive Director to propose a local match in support of a grant application to the Metropolitan Transportation Commission's (MTC) Transportation for Livable Communities ("TLC") grant program, and in January 2003, MTC awarded the Agency a \$68,000 grant for the Bay Street Planning and Implementation project. The TLC program provides grants for planning and capital projects that integrate walking, transit, and bike riding into the community design and that spur the compact development of housing, downtowns and regional activity centers. The Bay Street planning project consists of:

- Development of a final design concept for pedestrian-oriented street improvements along Bay Street to support a Capitol grant application to MTC and possibly other funding sources to construct the improvements. The design concept also addresses utility undergrounding issues to facilitate the design and implementation of utility undergrounding on Bay Street, for which the City Council has approved the use of Rule 20a funds.
- Development of flexible zoning regulations to allow for shared parking and more compact development along Bay Street. The draft Planned District proposal seeks to encourage investment in the area. The proposal covers properties adjacent to Bay Street and Papazian Way between the Five Corners and Chapel Way, with the exception of Bridgeway East.
- Potential creation of a Property Assessment and/or Business Improvement District to address maintenance costs related to the improvement measures along Bay Street. Staff has consistently stated that the property and business owners benefiting from the project will be expected to contribute towards the upkeep of improvements. However, at this time, staff has not sought a formal

proposal from the property and/or business owners. If the project is ultimately approved and funded, staff would develop a maintenance strategy and agreement with the property and business owners.

At its November 4, 2003 regular meeting, the Redevelopment Agency Board reviewed several concepts for Bay Street and provided comments. The Board directed the steering committee to advance the concept featuring diagonal parking and two-way traffic (however, the stretch of Bay Street between Fremont Blvd and Trimboli Way would be one-way). Considering the parking issues that would be caused by any streetscape plan eliminating curb cuts for the converted residential homes on the south side of the street, the Board also stressed to the committee that a first phase of improvement does not need to solve the parking issue. The potential street improvements offer a great opportunity to catalyze investment in the area, and the resulting investment will help determine and justify a parking solution for the area in the future.

Community Engagement: Community engagement for this project has been especially important to the project for a number of reasons. It has helped build consensus around the many design challenges. It will assist in applying for capital grants for constructing the street improvements by demonstrating that community interests were incorporated into the design (thus reducing possible obstacles during the capital project stage). Finally, it should also increase property owner interest in investing in their buildings and in a potential property and/or business assessment district. Staff contacted all of the property owners and business owners along Bay Street to organize a steering committee for the project. The steering committee meets regularly with the consultant, reviews and provides comments on technical documents, and represents the project at public meetings. Attendees at a kick-off community meeting elected a steering committee for the project consisting of the following three community members:

- Wendy Hamor, owner of Bay Street Coffee Company, who has since withdrawn for personal reasons
- George Matta, property owner
- Farouk Mattar, property owner

There have been five general community workshops on the project, with one more scheduled to discuss the City Council comments and make any final refinements to the plans. In addition to the community workshops, the steering committee has met 11 times since the design process started. Whenever possible, staff has provided notice of steering committee meetings to the Bay Street property owners, business owners, tenants, and interested parties, and at least two additional Bay Street property owners have attended every meeting. In early January, the steering committee and six other community members toured Castro Street in Mountain View and met with City staff to discuss those street improvements.

The steering committee has also kept the Bay Street community and interested parties informed of the project through the production and distribution of five one-page Project Updates and by posting sets of plans at the Bay Street Coffee Company and the NewTech Law Group. Plans and information on the project are also posted on the City's Irvington web site. The interested parties with perhaps the greatest stake in the project are the property owners adjacent to Bay Street. Prior to this City Council project update, staff contacted every property owner and offered to review the plans with them in a one-on-one meeting.

Draft Plans: Since the Redevelopment Agency Board item on November 4, 2003, the steering committee has worked on the details of the enclosed draft street plans and Planned District proposal. On February 19, the steering committee presented the plans at a community workshop. On March 4, staff presented the plans to the Historical Architectural Review Board who provided comments, and on March 11 staff repeated the same presentation at a study session with the Planning Commission. An enclosed memo entitled “Bay Street Comments” describes the comments received on the draft plans and how the comments are being handled. Where feasible, most of the comments have been accepted and the enclosed draft plans reflect these comments. Two tables below summarize the plans.

Table: Streetscape Plan Summary

<i>Plan description:</i> <ul style="list-style-type: none"> • One-way traffic pattern from Fremont to Trimboli and two-way traffic pattern from Trimboli to Chapel • Parallel parking with 8’ sidewalks on the north side of Bay Street west of Trimboli • Diagonal parking with 10-12’ sidewalks on the south side of Bay Street (10’ east of Trimboli, 12’ west of Trimboli) • Small plaza at Trimboli and Bay Street (to be developed privately) • Raised traffic table at Trimboli to calm traffic • Significant bulbouts at intersections with Chapel, Papazian and Trimboli to calm traffic • Entry feature at Chapel with similar design elements as Monument Plaza. • Driveway access on south side of Bay Street (between Trimboli and Chapel) discouraged – limited to larger properties or joint access agreements (2 or more lots) with requirement that the owner/developer replace any public parking lost to driveway • Target public parking area is Post Office employee lot and adjacent vacant lot (approximately 60 potential public spaces) • Pedestrian connection from target public parking area at Post Office to Bay Street near Papazian intersection • Option of a parking alley in rear of properties included as a long range option, but excluded from the first phase of improvements • Option of creating limited diagonal parking along Papazian Way included as a long range option, but excluded from first phase of improvements 	
<i>Streetscape Elements</i>	<p>Trees and tree wells: Chinese Pistache is featured tree with Jacaranda and a non-fruit bearing ornamental tree used as accent trees. Cast iron tree grates with brick detailing at edge.</p> <p>Street benches and trash/recycling receptacles: cast iron, vintage style, Irvington green, with center arms on benches to deter sleeping.</p> <p>Street lights: 12’ pedestrian poles with historic-looking globes to be consistent with Irvington Monument and Washington Grade Separation lights, Irvington green, banner arms if desired. 20’ lamps at intersections.</p> <p>Paving: Red colored stamped concrete in herringbone pattern to be used to highlight crosswalks, street entry at Chapel, and tree wells.</p> <p>Sidewalks: Square scoring pattern to identify outdoor dining area.</p> <p>Signage: Irvington green cast iron post with way finding directions to public transit, bicycle routes and other destinations to be determined.</p> <p>Other: hose bibs, electrical outlets at top of street lamps and at base of trees, and a future historical marker program</p>

<i>Parking impact</i>	+ 8 on-street spaces (net) - 50 on-site spaces (would be reduced if larger lots added on-site parking) - 42 net loss of parking
<i>ROW Acquisition requirements</i>	<ul style="list-style-type: none"> Requires 16' ROW acquisition on south side of Bay Street (between Trimboli and Chapel) Requires 4' ROW acquisition of Monument Center lot along Bay Street Requires 5' ROW acquisition in front of the historic Rix House Requires 5' ROW acquisition in front of historic Griffin House. This property lacks curb, gutter and sidewalk and was developed prior to a dedication requirement for these improvements.
<i>Cost estimate</i>	\$1,450,000 construction costs (contingency and escalation included) +\$1,400,000 ROW acquisition-related costs (contingency and escalation included) <u>+\$650,000 soft costs (design, engineering, staff, construction management, and contingency included)</u> \$3,500,000 Total

Table: Planned District Summary

Subject	Planned District Proposal
Uses	<ul style="list-style-type: none"> Commercial uses generally limited to office, retail and food uses Allows residential on second floor and mix of uses in the same project Residential on first floor would be legal, non-conforming use
Building density – maximum	<ul style="list-style-type: none"> 1.5 Floor Area Ratio (FAR) or 150% of lot area Example: 6300 square feet on typical 4200 sf lot (after condition)
Building density – minimum	<ul style="list-style-type: none"> .5 Floor Area Ratio (FAR) or 50% of the lot area Example: 2100 square feet on typical 4200 sf lot (after condition)
Building height	<ul style="list-style-type: none"> 30' on small interior lots 40' on corner lots or larger lots (8000 square feet or greater)
Building setback	<ul style="list-style-type: none"> 0' front 0' side yard 10' rear yard (or 20' if there are plans in place for long range parking concept)
Parking requirements (mixed use)	<ul style="list-style-type: none"> Commercial: 1 space per 400 sf Restaurant: 1 space per 4.5 seats + 10% for employees, or 1 space per 150 sf exclusive of storage Residential: 1 per unit
Parking requirements (single use)	<ul style="list-style-type: none"> No reductions from current standards
Special parking provisions for south side of Bay Street between Chapel and Trimboli	<ul style="list-style-type: none"> Parking credit of 6 spaces per lot (1 space per 700 sf of lot area) to be applied toward total parking requirement for existing and new uses and building area No onsite parking allowed for single lots (less than 8,000 sf) Onsite parking allowed for larger lots (more than 8,000 sf) or where joint access agreements exist, but applicant(s) must replace lost public parking

	associated with driveway and adhere to Bay Street standards for improvements
Special provisions for properties with Fremont Blvd frontage	<ul style="list-style-type: none"> • Commercial character has to be maintained along Fremont Blvd • Bay Street design guidelines only apply to that portion of development fronting Bay Street and Papazian Way
Development incentives	<ul style="list-style-type: none"> • Parking requirements waived for significant building additions or new buildings (over 600 sf) if funding exists for Bay Street public parking. • Total parking waived under the program can not exceed the number of spaces that can be reasonably developed with funding for Bay Street public parking. • There will be a cap on the number of spaces waived per project with the objective that the first three major investments should benefit from the program.
Alternative parking arrangements	<ul style="list-style-type: none"> • Parking agreements within reasonable distance • Joint access easements with adjacent properties • Parking in-lieu fee included as a future mechanism for developers to gain credit for current or future public parking spaces
Design guidelines	<ul style="list-style-type: none"> • Design guidelines specific to small-scale nature of Bay Street to help give buildings a distinctive and high quality street presence
Entitlement path	<ul style="list-style-type: none"> • Staff approvals of most building expansion or remodeling projects • Planning Commission approval of new buildings • HARB review of historic buildings only

Discussion: The Bay Street plans have encountered challenges and many of the proposed solutions – from trash pickup, to the “unbalanced” street design, to the parking space credit for select properties – are unconventional, largely driven by the physical constraints and conditions in the area. The Bay Street community appears to welcome creative solutions and unavoidable inconveniences created by the project to seize the opportunity to attract the significant public investment needed to implement the project. At this point in the design process, pending final direction from the City Council, discussion of project needs to address the following three major issues:

1. **Parking.** This issue has been at the center of the project since it started. The new diagonal parking created by the project is far more convenient for customers and desirable for commercial development, but the resulting street plans create a net loss of approximately 42 on-site parking spaces on the south side of Bay Street, where a near continuous parking apron has evolved on the former front yards of the properties. Existing residential and commercial tenants on the south side of Bay Street will have no dedicated parking and will have to park on the street or reach parking agreements with private lots in the area.

The critique is: **Is this workable?** The parking study from October 2000 shows that sufficient on-street parking exists to absorb the new on-street parking demand created by the elimination of the Bay Street parking apron. At peak weekday occupancy, there were 104 on-street spaces available along Bay Street, Papazian and the segments of Chapel and Trimboli closest to Bay Street. At peak occupancy on a Saturday, there were 114 spaces available. The plans provide a net increase of 16 on-street parking spaces directly in front of the properties losing on-site

parking, and because these spaces will be more convenient and more easily shared compared to the present private parking arrangements, utilization of parking spaces should be more efficient in the Bay Street area with the proposed plans. No one disagrees that the new improvements would make it more inconvenient for the Bay Street tenants who lose on-site parking; however, the clearest sign the parking situation is workable in the future is strong support of the property owners. They are the ones potentially most impacted, but nonetheless believe it is workable.

2. **Development incentives.** The proposed street design and Planned District provide development incentives. The pedestrian and retail-oriented street improvements themselves represent incentives in that they eliminate significant development costs. The City is also able to coordinate the improvements to a far greater and more effective degree than if the private sector completed street improvements in a piecemeal fashion. The Planned District allows for zero lot line development, mixed-use development, and a building density of 1.5 FAR, which is triple the current building density allowed by the City's zoning ordinance. In addition, if the Redevelopment Agency dedicates funding for public parking lot development, the Planned District proposes to waive parking requirements for significant building additions or new buildings (minimum square footage of 600 square feet) on the basis that the funding of a public parking lot development creates a reasonable expectation that parking demand will be met in the future (note: parking requirements waived under this proposal will be limited to not exceed the estimated amount of parking that is funded). The Planned District also introduces a parking in-lieu fee mechanism as a future means for developers to economically satisfy parking requirements.

The critique is: **Is the package of incentives appropriate?** Under the proposed plans, there are incentives for new investment in the area. Staff, property owners and community members support the approach because they want to see their investment in the project pay off and because they desire the realization of an active and successful mixed-use retail district. With the depressed economic conditions and numerous challenges along Bay Street, the plans attempt to jumpstart private investment to get the ball rolling toward revitalization of the area.

3. **Maintenance.** The plans propose greatly enhanced street improvements from bulbout features to colored stamped concrete that require a relatively high level of maintenance compared to standard street improvements. Yet, in many people's eyes, the City has not been able to maintain the pavers and improvements installed with the last round of redevelopment on Bay Street in the late 1980s. The City's maintenance capacity is currently inadequate and the project can not rely upon extra servicing by the City of the area. The solution contemplated by the project is to have property and/or business owners contribute to the maintenance of the improvements.

The critique is: **Is this realistic?** Staff has consistently set the expectation that property owner and business owners will need to contribute to maintenance of the above standard improvements. Staff's recommendation will be that final approval of the project be contingent on a maintenance agreement with a property and/or business owner group. At this point, there has been no movement of the property owners to organize around the issue and propose a solution. However, the project is a couple years off at the earliest and is not fully funded. As the project advances and gets closer to final design and construction, staff would advise property and/or business owners to take the necessary steps to contribute to the street's maintenance.

In sum, the plans attempt to address numerous challenges to new investment along Bay Street and seem to offer the promise of encouraging revitalization of the area. But the plans can not solve all of the issues. Success will depend on property and business owner investments in the area. The City and the property owners and business owners will need to continue to work on a handful of issues to encourage investment as the project moves forward.

Status of discussions with Post Office regarding cooperation on parking: Staff met with the Post Office in February and reached agreement on participating in a design charette focused on developing and analyzing options for meeting the Post Office parking needs and creating additional public parking. The City's stated goal is to evaluate relocating the Post Office's employee parking directly behind Bay Street to some other location on the Post Office property. If this were possible, the former employee parking lot could be combined with an adjacent vacant lot to create a convenient pool of approximately 60 public parking spaces. A consultant, International Parking Design, has been selected for the work and a kick-off meeting is being scheduled in April. George Matta, the owner of the vacant lot and one of the Bay Street steering committee members, is participating in the exercise.

Next steps and schedule: The following meetings have been scheduled to conclude the Bay Street MTC Planning Grant project. The project must be finished by July 31, 2004 to meet the grant obligations. The schedule could be moved up if the application deadline for MTC's TLC capital grant is moved up and the City Council desires to apply for the grant.

Meeting	Details
Community Workshop #6 to provide input on final draft of plans	May 12 th at 6:30 p.m. at the Irvington Presbyterian Church
Historical Architectural Review Board consideration of a recommendation on approval of the Streetscape Concept and Planned District proposal	June 3 rd at 7:00 p.m. in the Niles Room
Planning Commission consideration of a recommendation on approval of the Streetscape Concept and Planned District proposal	June 10 th at 7:00 p.m. in the City Council chambers
City Council consideration of approval of Streetscape Concept and Planned District proposal	July 6 th at 7:00 p.m. in the City Council chambers

Note: an updated listing of meetings is kept on the City's Irvington website.

Capital Grant funding and implementation: MTC's TLC grant program, which is funding the Bay Street planning study, also provides grants of up to \$2 million to design and construct transportation improvements such as streetscapes, bicycle facilities, and pedestrian plazas. Projects designed with planning grant assistance usually can make a strong case for capital grant support. The grant program requires a 11.5% local agency match. The capital grant funding is from a federal source (Transportation Equity Act for 21st Century and successor), which means that the federal environmental review process would apply.

Since the last Agency item on Bay Street on November 4, staff has learned that the next call for capital projects may be moved up from the spring of 2005 to a date this summer. Staff is meeting with MTC on April 2nd to learn the status of the program and collect feedback on the Bay Street plans. If the City Council approves the plans for Bay Street and authorizes staff to begin implementation of the project,

staff would propose applying for capital grant funding through MTC's TLC program. Even with funding for the project, staff does not anticipate construction of the project starting before 2006. The street concept would need to be developed into construction drawings and closely coordinated with the planned utility undergrounding for the street.

ENCLOSURE:

- Bay Street schematic design package (street improvement plans, streetscape elements and cost estimate)
- Planned District proposal
- Comparison of Planned District proposal to existing zoning
- Design Guidelines (attachment to Planned District proposal)
- Bay Street Comments

RECOMMENDATION: Review and comment on streetscape plans and Planned District proposal for Bay Street.

